

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA

v.

JAMES WILLIAM THOMAS, III,

Defendant.

Criminal No. 2:18cr58

**ORDER**

This matter comes before the Court on a Motion for Declaration of Mistrial filed by Defendant James William Thomas, III. ECF No. 113. The Court construes Defendant's Motion as a request to continue the trial date and GRANTS it in part. The trial date of July 16, 2019 is STRICKEN. Trial will commence on October 29, 2019 in Norfolk, Virginia.

Relatedly, on June 25, 2019, the Court reappointed Gregory Klein, Esq., as standby counsel for Defendant. ECF No. 106. At that time, the Court concluded that Mr. Klein was the best choice to serve as standby counsel because of his familiarity with the case. Because of the new trial date, new standby counsel can prepare to serve adequately as standby counsel. Therefore, in light of Defendant's past conflicts with Mr. Klein, the Court terminates Mr. Klein as standby counsel and appoints Laura Tayman, Esq., as new standby counsel. Defendant is advised that Ms. Tayman is asked to provide Defendant assistance upon Defendant's request. Mr. Klein is directed to coordinate the transfer of all appropriate material or information in his possession that may be of assistance to Ms. Tayman in her role as standby counsel.

In light of the protracted procedural history of this case, and the circumstances necessitating this continuance, the Court concludes that another arraignment is warranted. A new

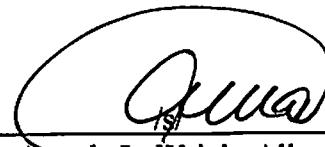
arraignment is set for July 16, 2019 at 2:30 P.M in Norfolk, Virginia. Defendant shall be present with standby counsel.

At this arraignment, Defendant will be given a final motions deadline. Defendant is advised that motions related to suppression of evidence incident to the various searches and seizures in this case, and complaints about Defendant's prior counsel, have been fully briefed already. The Court has taken Defendant's suppression motions (ECF Nos. 102-04) under advisement and will not entertain further briefing on these issues. Defendant may file any other appropriate motion before the motions deadline. No further motions will be considered after that date.

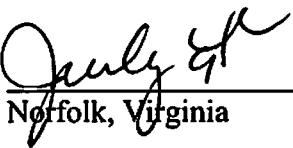
Defendant shall file all trial documents no later than October 15, 2019. These documents shall include any proposed jury instructions and proposed voir dire that Defendant wishes the Court to consider. Proposed jury instructions must include legal authority justifying each instruction.

The Clerk is **DIRECTED** to send a copy of this Order to Mr. Thomas, standby counsel, and the Assistant United States Attorney.

**IT IS SO ORDERED.**



Arenda L. Wright Allen  
United States District Judge

  
\_\_\_\_\_, 2019  
Norfolk, Virginia